

COUNTY OF YORK

MEMORANDUM

DATE: June 15, 2004 (BOS Mtg. 8/3/04)

TO: York County Board of Supervisors

FROM: James E. Barnett, County Attorney

SUBJECT: Proposed amendment to County Code § 1-14.1—\$5.00 surcharge for criminal and traffic convictions, used for courthouse for security

In 2002, the General Assembly adopted legislation amending Code of Virginia § 53.1-120 to allow localities to assess a sum not to exceed \$5.00 as part of the cost in criminal and traffic cases levied against a convicted defendant to be used "for the funding of courthouse security personnel." The 2002 legislation carried a sunset provision such that the authority to levy the \$5.00 surcharge would expire on July 1, 2004. The 2004 General Assembly, however, adopted HB 504 which removed the sunset provision from the statute, and also authorized the monies collected from the \$5.00 levy to be expended for "equipment and other personal property used in connection with courthouse security" if requested by the sheriff. The revision I have proposed to County Code § 1-14.1 likewise expands the purposes for which the funds may be spent, and deletes the last sentence of the ordinance which references the sunset clause.

I recommend the adoption of Ordinance No. 04-21.

Barnett/3440:sw
Attachment

- Ordinance No. 04-21